

EXHIBIT 6

**July 14, 1992 Montana Internal Memorandum re W.R. Grace Closure
Plan Environmental Assessment**

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**DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION**



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M E M O R A N D U M

TO: Mr. Patrick Plantenberg, DSL, Hardrock Bureau
FROM: Gary Fischer, DNRC, Dam Safety Section *GRF*
DATE: July 14, 1992
SUBJECT: W. R. Grace Closure Plan Environmental Assessment

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Attached is a draft write-up on DNRC agency responsibilities for the above referenced EA. Please review and contact me at 444-6664 if changes are desired.

GF/pw

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

The Dam Safety Section of the Water Resources Division will assist the DSL engineer and hydrologists in reviewing construction plans and specifications for closure. Upon completion of dam construction, regulation of the impoundment structure will transfer from the DSL to the DNRC. The DNRC will administer the dam in accordance with the Montana Dam Safety Act (MCA 85-15-101 through 502). The structure has been determined to have a classification of "high hazard". "High hazard" indicates that the impoundment is 50 acre-feet or larger, and in the event of a clear-weather breach of the dam, the ensuing flood wave would likely result in a loss of life.

The DNRC will require the owner to have an approved operation permit prior to the end of construction. An operation permit requires the development of three documents: an operation plan, a maintenance plan, and an emergency action plan (EAP). The Dam Safety Section will assist in the development of the owner's EAP by developing the downstream flood inundation maps. This can be accomplished by having the owner submit an application for hazard classification determination with a fee of \$125.

The Dam Safety Section will determine the renewal period of the operation permit, however the permit will be valid for no more than five years. A dam safety notebook containing rules and examples of operation plans has been given to W. R. Grace representatives to assist them in complying with Montana dam safety regulations.